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SENATE BILL No. 199

Proposed Changes to introduced printing by AM019901

DIGEST OF PROPOSED AMENDMENT

Degree programs. Provides that a state educational institution that has been denied approval to continue a degree program may: (1) permit students to enroll in the degree program until June 1 of the year following the denial; and (2) provide students enrolled in the degree program with the opportunity to finish their degree prior to the degree program's closure. Requires the commission for higher education to submit an annual report concerning degree program closures to the general assembly.

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-26-14-6, AS AMENDED BY P.L.43-2021,
2 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 6. (a) The association must establish a case review
4 panel that meets the following requirements:
5 (1) The panel has nine (9) members.
6 (2) The secretary of education or the secretary's designee is a
7 member of the panel and is the chairperson of the panel.
8 (3) The secretary of education appoints as members of the panel
9 persons having the following qualifications:
10 (A) Four (4) parents of high school students.
11 (B) Two (2) high school principals.
12 (C) Two (2) high school athletic directors.
13 (B) **Four (4) school administrators.**
14 (4) The secretary of education shall administer the functions of
15 the panel.
16 (5) A member of the panel serves for a four (4) year term,
17 subject to the following:

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(A) An appointee who ceases to meet the member's qualification under subdivision (3) ceases to be a member of the panel.

(B) The secretary of education shall appoint fifty percent (50%) of the initial appointees under each clause in subdivision (3) for terms of two (2) years, so that terms of the panel are staggered.

8 (6) The panel must meet monthly, unless there are no cases
9 before the panel. The panel may meet more frequently at the call
10 of the chairperson. However, the chairperson must call a meeting
11 within five (5) business days, or as soon thereafter as a quorum
12 can be assembled, after the panel receives a case in which time
13 is a factor in relation to the scheduling of an athletic competition.
14 (7) A quorum of the panel is five (5) members. The affirmative
15 vote of the greater of the majority present or four (4) members of
16 the panel is required for the panel to take action.

21 (1) Accept the decision.

22 (2) Refer the case to the panel. The parent must refer the case to
23 the panel not later than thirty (30) days after the date of the
24 association's decision.

27 (1) Collect testimony and information on the case, including
28 testimony and information from both the association and the
29 parent.

30 (2) Place the case on the panel's agenda and consider the case at
31 a meeting of the panel.

32 (3) Not later than ten (10) business days after the meeting at
33 which the panel considers the case, issue a written decision that
34 does one (1) of the following:

35 (A) Upholds the association's decision on the case.

36 (B) Modifies the association's decision on the case.

37 (C) Nullifies the association's decision on the case.

38 (d) Subject to section 7 of this chapter, the association must
39 implement the decision of the panel on each case. However, a decision
40 of the panel:

41 (1) applies only to the case before the panel; and
42 (2) does not affect any rule of the association or decision under



1 any rule concerning any student other than the student whose
 2 parent referred the case to the panel.

3 (e) The association shall pay all costs attributable to the operation
 4 of the panel, including travel and a stipend of at least fifty dollars (\$50)
 5 for each meeting for panel members.

6 SECTION 2. IC 20-28-3-1, AS AMENDED BY P.L.190-2025,
 7 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 UPON PASSAGE]: Sec. 1. (a) As used in this section, "teacher
 9 candidate" means an individual recommended for an initial teaching
 10 license from a teacher preparation program located in Indiana.

11 (b) As used in this section, "teacher preparation program"
 12 includes, but is not limited to, the following:

13 (1) A teacher education school or department.
 14 (2) A transition to teaching program under IC 20-28-4.
 15 (3) Any other entity approved by the department to offer a course
 16 of study leading to an initial teaching license.

17 (c) The department shall:

18 (1) arrange a statewide system of professional instruction for
 19 teacher education;
 20 (2) accredit and review teacher preparation programs that
 21 comply with the rules of the department;
 22 (3) approve content area licensure programs for particular kinds
 23 of teachers in accredited teacher preparation programs; and
 24 (4) specify the types of licenses for individuals who complete
 25 programs of approved courses.

26 (d) The department shall work with teacher preparation programs
 27 to develop a system of teacher education that ensures individuals who
 28 complete teacher preparation programs are able to meet the highest
 29 professional standards.

30 (e) Before July 1, 2015, the department shall establish standards
 31 for the continuous improvement of program processes and the
 32 performance of individuals who complete teacher preparation
 33 programs. The state board shall adopt rules containing the standards
 34 not later than two hundred seventy (270) days after the department
 35 finishes the standards.

36 (f) The standards established under subsection (e) must include
 37 benchmarks for performance, including test score data for each teacher
 38 preparation entity on content area licensure tests and test score data for
 39 each teacher preparation entity on pedagogy licensure tests.

40 (g) Each teacher preparation program shall annually report the
 41 program's performance on the standards and benchmarks established
 42 under this section to the department. The department shall make the



1 information reported under this subsection available to the public on
2 the department's website. Each teacher preparation program shall make
3 the information reported under this subsection available to the public
4 on the teacher preparation program's website. In addition to reporting
5 performance, each teacher preparation program must report to the
6 department the following:

7 (1) The attrition, retention, and completion rates of teacher
8 candidates for the previous three (3) calendar years. The teacher
9 preparation program must also provide underlying data, as
10 determined by the department, used as part of calculating the
11 teacher preparation program's retention rates.

12 (2) The number of teacher candidates in each content area who
13 complete the teacher preparation program during the year,
14 disaggregated by ranges of cumulative grade point averages.

15 (3) The number of teacher candidates in each content area who,
16 during the year:

17 (A) do not pass a content area licensure examination; and
18 (B) do not retake the content area licensure examination.

19 (h) In making information available to the public on the
20 department's website, the department shall include in the report under
21 subsection (g), in addition to the matrix ratings described in subsection
22 (i), the following information:

23 (1) Average scaled or standard scores of teacher candidates who
24 complete teacher preparation programs on basic skills, content
25 area, and pedagogy licensure examinations.

26 (2) The average number of times teacher candidates who
27 complete a teacher preparation program take each licensing test
28 before receiving a passing score and the percentage of teacher
29 candidates who receive a passing score on each licensing test on
30 the teacher candidates' first attempts.

31 (i) Not later than July 30, 2016, the department and the
32 commission for higher education, in conjunction with the state board,
33 the Independent Colleges of Indiana, Inc., and teacher preparation
34 programs, shall establish a matrix rating system for teacher preparation
35 programs based on the performance of the programs as demonstrated
36 by the data collected under subsections (g) and (h). The matrix rating
37 system must be based on data collected for teachers who initially
38 receive their teaching license during the previous three (3) years. The
39 department shall make the matrix ratings available to the public on the
40 department's website.

41 (j) Each teacher preparation program shall report to the
42 department, in a manner prescribed by the department, the teacher



1 preparation program's admission practices, in accordance with:
 2 (1) the Council for the Accreditation of Educator Preparation
 3 standards, for teacher preparation programs accredited by the
 4 Council for the Accreditation of Educator Preparation;
 5 (2) rigorous academic entry requirements for admission into a
 6 teacher preparatory program that are equivalent to the minimum
 7 academic requirements determined by the Council for the
 8 Accreditation of Educator Preparation, for teacher preparation
 9 programs that are not accredited by the Council for the
 10 Accreditation of Educator Preparation; **or**
 11 (3) the Association for Advancing Quality in Educator
 12 Preparation standards, for teacher preparation programs
 13 accredited by the Association for Advancing Quality in Educator
 14 Preparation; **or**
 15 **(4) the department's admission standards for teacher**
 16 **preparation programs accredited by the department.**

17 The department shall include information reported to the department
 18 on the department's website.

19 (k) Not later than July 30, 2016, the department and the
 20 commission for higher education, in conjunction with the state board,
 21 the Independent Colleges of Indiana, Inc., and teacher preparation
 22 programs, shall establish a minimum rating under the matrix rating
 23 system established under subsection (i) that teacher preparation
 24 programs must achieve to avoid referral under subsection (l).

25 (l) Not later than July 1 of each year, the department shall submit
 26 a list of teacher preparation programs that do not meet the minimum
 27 rating established under subsection (k) or the requirements of section
 28 3.1 or 3.2 of this chapter to the commission for higher education and
 29 the Independent Colleges of Indiana, Inc. for one (1) of the following
 30 actions:

31 (1) In the case of a state educational institution, the commission
 32 for higher education shall place the teacher preparation program
 33 on an improvement plan with clear performance goals and a
 34 designated period in which the performance goals must be
 35 achieved.

36 (2) In the case of a proprietary postsecondary educational
 37 institution, the commission for higher education shall
 38 recommend to the teacher preparation program an improvement
 39 plan with clear performance goals and a designated period in
 40 which the performance goals should be achieved.

41 (3) In the case of a nonprofit college or university, the
 42 Independent Colleges of Indiana, Inc., shall coordinate a peer



1 review process to make recommendations to the peer institution
 2 in achieving the department's performance metrics.

3 (m) The department shall approve at least two (2) accreditors that:
 4 (1) accredit teacher preparation programs; and

5 (2) are recognized by the Council for Higher Education
 6 Accreditation;

7 to accredit teacher preparation programs for use in Indiana. **The**
 8 **department may also serve as an accreditor in addition to the two**
 9 **(2) accreditors approved under this subsection.**

10 (n) Not later than December 31, 2024, the department and the
 11 commission for higher education, in conjunction with the state board,
 12 shall partner with teacher preparation programs to receive an outside
 13 evaluation by a nationally recognized nonprofit, nonpartisan
 14 organization that leverages evidence based approaches on the science
 15 of reading to evaluate teacher preparation reading instruction programs.

16 SECTION 3. IC 20-28-10-20 IS ADDED TO THE INDIANA
 17 CODE AS A NEW SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2026]: Sec. 20. (a) As used in this section,
 19 "stillbirth" means a birth after twenty (20) weeks of gestation that
 20 is not a live birth.

21 (b) Not later than December 1, 2026, the secretary of education
 22 shall do the following:

23 (1) Identify school corporations that provide employees paid
 24 leave upon any of the following events:

25 (A) The birth of an employee's child.

26 (B) The birth of a child to an employee's spouse.

27 (C) The placement of a child for adoption with an
 28 employee.

29 (D) The stillbirth of an employee's child.

30 (2) Identify the length of paid leave school corporations
 31 provide for each event under subdivision (1).

32 (3) Make recommendations concerning paid leave for
 33 employees for each event under subdivision (1).

34 (4) Submit the findings and recommendations under this
 35 subsection to the general assembly in an electronic format
 36 under IC 5-14-6.

37 (c) This section expires July 1, 2027.

38 SECTION 4. IC 20-30-5-7.4 IS ADDED TO THE INDIANA
 39 CODE AS A NEW SECTION TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2026]: Sec. 7.4. (a) Not later than December
 41 1, 2026, the secretary of education shall do the following:

42 (1) Identify key metrics and activities to be used to measure



civic literacy and engagement in kindergarten through grade 12 and postsecondary education.

(2) Submit the metrics identified under subdivision (1) to the general assembly in an electronic format under IC 5-14-6.

(b) This section expires July 1, 2027.

SECTION 5. IC 20-32-8.5-2, AS AMENDED BY P.L.186-2025, SECTION 291, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) Except as provided in section (b), the plan required by this chapter must include the following:

(1) Reading skill standards for grade 1 through grade 3.

(2) A method for making determinant evaluations by grade 3 that remedial action is required for a student, including:

(A) except as provided in subsections (c) and (g), beginning with evaluations administered during the 2024-2025 school year, retention of the student in grade 3 if the student has not achieved a passing score on the determinant evaluation of reading skills approved by the state board after the student has had an opportunity to retake the determinant evaluation at least twice in the summer and

evaluation at least twice in the summer; and

(B) the use of curricular materials and supplemental materials aligned to the science of reading that are designed to address deficiencies in reading;

after other methods of remediation have been evaluated or used, or both, if reading skills are below the standard. Appropriate consultation with parents or guardians must be part of the plan. (3) A requirement that schools notify a student's parent of the following:

(A) The student's assessment results regarding skill level in:

- (i) phonemic awareness;
- (ii) phonics;
- (iii) fluency;
- (iv) vocabulary; and
- (v) comprehension.

(B) The student's assessment results on the determinant evaluation of reading skills approved by the state board.

(C) Any intervention provided to the student or any remedial action taken.

(4) A requirement that schools monitor the progress of students who failed to achieve a valid passing score on the:

(A) determinant evaluation of reading skills approved by the state board; or

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(B) statewide assessment program test.

(5) A requirement that schools provide reading instruction that includes a core reading program aligned with the science of reading to all students in kindergarten through grade 8.

(6) A requirement for the administration of the determinant evaluation of reading skills approved by the state board to students in grade 2.

(7) A requirement that all students take the determinant evaluation of reading skills approved by the state board until the student:

- (A) receives a passing score, regardless of the student's grade level; or
- (B) enters grade 7.

(8) A requirement that a school report the following to the department:

- (A) The literacy interventions that will be used for students in grade 2 who are at risk of not being reading proficient and students in grade 3 who do not achieve a valid passing score on the determinant evaluation of reading skills approved by the state board.
- (B) The literacy interventions in use before the adoption of the plan for students in grade 2 who are at risk of not being reading proficient and students in grade 3 who do not achieve a valid passing score on the determinant evaluation of reading skills approved by the state board.
- (C) The literacy interventions in use before the adoption of the plan for students who do not achieve a valid passing score on the determinant evaluation of reading skills approved by the state board.
- (D) The number of students being served by the interventions described in clauses (B) and (C).
- (E) The cost of providing the interventions described in clauses (B) and (C).
- (F) Any other information requested by the department.

(9) Requirements for a school in which, **over the course of three (3) consecutive years**, fewer than **seventy an average of seventy-five percent (70%) (75%)** of students of the school achieved a valid passing score on the determinant evaluation of reading skills approved by the state board that must include the following:

- (A) Use of curriculum that is:
 - (i) based on the science of reading;

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in the student's individual learning plan.

(4) The student received a score of proficient or above proficient in grade 3 math on the statewide summative assessment.

(5) The student:

- (A) has received intensive intervention as determined by the department in reading for two (2) or more years; and
- (B) was retained more than one (1) time throughout kindergarten, grade 1, or grade 2.

21 (f) The department shall establish a standard reporting process and
22 reporting window for schools to report students who qualify for an
23 exemption under subsection (c).

24 (g) The department shall establish a registration process for
25 schools to exempt an English language learner who:

26 (1) does not achieve a passing score on the determinant
27 evaluation of reading skills approved by the state board; and
28 (2) attends a school that has a student population comprised of
29 at least fifty percent (50%) of English language learners in grade
30 3, as determined by the department;

31 from compliance with the requirements under subsection (a)(2)(A)
32 until the beginning of the 2027-2028 school year. This subsection
33 expires July 1, 2028.

34 SECTION 6. IC 20-51.4-3-7.1 IS ADDED TO THE INDIANA
35 CODE AS A NEW SECTION TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2026]: **Sec. 7.1. (a) For each school year, the**
37 **department shall determine, based on the amount of funds**
38 **available for the program, the number of grants that the**
39 **department will award under the ESA program and CSA program.**
40 **The number of applications approved and the number of grants**
41 **awarded under this article by the department for the school year**
42 **may not exceed the number determined by the department under**

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1 **this section.**

2 **(b) The department may not deduct more than five percent**
 3 **(5%) of the funds made available for the ESA program to cover**
 4 **costs of managing ESA accounts and administering the ESA**
 5 **program. Any amount deducted under this subsection shall be**
 6 **deposited in the Indiana education scholarship account**
 7 **administration fund established by IC 20-51.4-4-3.5.**

8 **(c) The department may not deduct more than five percent**
 9 **(5%) of the funds made available for the CSA program to cover**
 10 **costs of managing CSA accounts and administering the CSA**
 11 **program. Any amount deducted under this subsection shall be**
 12 **deposited in the career scholarship account administration fund**
 13 **established by IC 20-51.4-4.5-5.**

14 **SECTION 7. IC 21-18-6-10 IS ADDED TO THE INDIANA**
 15 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
 16 **[EFFECTIVE JULY 1, 2026]: Sec. 10. (a) Not later than December**
 17 **1, 2026, the commission shall do the following:**

18 **(1) Evaluate accrediting agencies or associations that**
 19 **currently accredit state educational institutions.**

20 **(2) Identify and evaluate innovative accrediting agencies or**
 21 **associations, including those not yet recognized by the United**
 22 **States Department of Education, that do not currently**
 23 **accredit state educational institutions.**

24 **(3) Provide a report in an electronic format under IC 5-14-6**
 25 **to the general assembly that includes:**

26 **(A) the commission's findings under subdivisions (1) and**
 27 **(2); and**

28 **(B) recommendations concerning accrediting agencies**
 29 **or associations identified in subdivision (2) that may be**
 30 **best suited to serve as an accreditor for state educational**
 31 **institutions.**

32 **(b) This section expires July 1, 2027.**

33 **SECTION 8. IC 21-18-9-10.7, AS ADDED BY P.L.213-2025,**
 34 **SECTION 248, IS AMENDED TO READ AS FOLLOWS**
 35 **[EFFECTIVE JULY 1, 2026]: Sec. 10.7. (a) For each state educational**
 36 **institution degree program, if: the:**

37 **(1) the:**

38 **(A) average number of students who graduate over the**
 39 **immediately preceding three (3) years is fewer than:**

40 **(A) (i) ten (10) students for a particular associate**
 41 **degree program;**

42 **(B) (ii) fifteen (15) students for a particular bachelor's**



- degree program;
- (iii) seven (7) students for a particular master's degree program;
- (iv) three (3) students for a particular education specialist program; or
- (v) three (3) students for a particular doctorate degree program; **and or**

(B) degree program meets the definition of a low earning outcome program under the Higher Education Act (20 U.S.C. 1087d); and

13 the state educational institution must request approval from the
14 commission to continue the degree program.

15 (b) ~~if the commission does not~~ [Subject to subsection (c), if] the commission does not
16 grant approval under subsection (a), the state educational institution
17 must eliminate:I

18 (1) the degree program; and

19 I(2) any costs associated with the degree program.

[(c) A state educational institution that has been denied approval under subsection (a) may:

(1) permit students to enroll in the degree program until June 1 of the year following the commission's denial; and
(2) provide students enrolled in the degree program with the opportunity to finish their degree prior to the degree program's closure under subsection (b).

(d) The commission shall prepare an annual report concerning the number of degree programs that were denied approval under subsection (a). The report described in this subsection must be submitted, in an electronic format under IC 5-14-6, to the general assembly not later than December 1 of each year.

32 1 SECTION 9. IC 24-5-0.5-3, AS AMENDED BY P.L.104-2024,
33 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2026]: Sec. 3. (a) A supplier may not commit an unfair,
35 abusive, or deceptive act, omission, or practice in connection with a
36 consumer transaction. Such an act, omission, or practice by a supplier
37 is a violation of this chapter whether it occurs before, during, or after
38 the transaction. An act, omission, or practice prohibited by this section
39 includes both implicit and explicit misrepresentations.

40 (b) Without limiting the scope of subsection (a), the following
41 acts, and the following representations as to the subject matter of a
42 consumer transaction, made orally, in writing, or by electronic



1 communication, by a supplier, are deceptive acts:

2 (1) That such subject of a consumer transaction has sponsorship,
 3 approval, performance, characteristics, accessories, uses, or
 4 benefits it does not have which the supplier knows or should
 5 reasonably know it does not have.

6 (2) That such subject of a consumer transaction is of a particular
 7 standard, quality, grade, style, or model, if it is not and if the
 8 supplier knows or should reasonably know that it is not.

9 (3) That such subject of a consumer transaction is new or
 10 unused, if it is not and if the supplier knows or should reasonably
 11 know that it is not.

12 (4) That such subject of a consumer transaction will be supplied
 13 to the public in greater quantity than the supplier intends or
 14 reasonably expects.

15 (5) That replacement or repair constituting the subject of a
 16 consumer transaction is needed, if it is not and if the supplier
 17 knows or should reasonably know that it is not.

18 (6) That a specific price advantage exists as to such subject of a
 19 consumer transaction, if it does not and if the supplier knows or
 20 should reasonably know that it does not.

21 (7) That the supplier has a sponsorship, approval, or affiliation
 22 in such consumer transaction the supplier does not have, and
 23 which the supplier knows or should reasonably know that the
 24 supplier does not have.

25 (8) That such consumer transaction involves or does not involve
 26 a warranty, a disclaimer of warranties, or other rights, remedies,
 27 or obligations, if the representation is false and if the supplier
 28 knows or should reasonably know that the representation is false.

29 (9) That the consumer will receive a rebate, discount, or other
 30 benefit as an inducement for entering into a sale or lease in
 31 return for giving the supplier the names of prospective
 32 consumers or otherwise helping the supplier to enter into other
 33 consumer transactions, if earning the benefit, rebate, or discount
 34 is contingent upon the occurrence of an event subsequent to the
 35 time the consumer agrees to the purchase or lease.

36 (10) That the supplier is able to deliver or complete the subject
 37 of the consumer transaction within a stated period of time, when
 38 the supplier knows or should reasonably know the supplier could
 39 not. If no time period has been stated by the supplier, there is a
 40 presumption that the supplier has represented that the supplier
 41 will deliver or complete the subject of the consumer transaction
 42 within a reasonable time, according to the course of dealing or



1 the usage of the trade.

2 (11) That the consumer will be able to purchase the subject of
 3 the consumer transaction as advertised by the supplier, if the
 4 supplier does not intend to sell it.

5 (12) That the replacement or repair constituting the subject of a
 6 consumer transaction can be made by the supplier for the
 7 estimate the supplier gives a customer for the replacement or
 8 repair, if the specified work is completed and:

9 (A) the cost exceeds the estimate by an amount equal to or
 10 greater than ten percent (10%) of the estimate;

11 (B) the supplier did not obtain written permission from the
 12 customer to authorize the supplier to complete the work
 13 even if the cost would exceed the amounts specified in
 14 clause (A);

15 (C) the total cost for services and parts for a single
 16 transaction is more than seven hundred fifty dollars (\$750);
 17 and

18 (D) the supplier knew or reasonably should have known that
 19 the cost would exceed the estimate in the amounts specified
 20 in clause (A).

21 (13) That the replacement or repair constituting the subject of a
 22 consumer transaction is needed, and that the supplier disposes of
 23 the part repaired or replaced earlier than seventy-two (72) hours
 24 after both:

25 (A) the customer has been notified that the work has been
 26 completed; and

27 (B) the part repaired or replaced has been made available
 28 for examination upon the request of the customer.

29 (14) Engaging in the replacement or repair of the subject of a
 30 consumer transaction if the consumer has not authorized the
 31 replacement or repair, and if the supplier knows or should
 32 reasonably know that it is not authorized.

33 (15) The act of misrepresenting the geographic location of the
 34 supplier by listing an alternate business name or an assumed
 35 business name (as described in IC 23-0.5-3-4) in a local
 36 telephone directory if:

37 (A) the name misrepresents the supplier's geographic
 38 location;

39 (B) the listing fails to identify the locality and state of the
 40 supplier's business;

41 (C) calls to the local telephone number are routinely
 42 forwarded or otherwise transferred to a supplier's business



location that is outside the calling area covered by the local telephone directory; and

(D) the supplier's business location is located in a county that is not contiguous to a county in the calling area covered by the local telephone directory.

(16) The act of listing an alternate business name or assumed business name (as described in IC 23-0.5-3-4) in a directory assistance data base if:

(A) the name misrepresents the supplier's geographic location;

(B) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business location that is outside the local calling area; and

(C) the supplier's business location is located in a county that is not contiguous to a county in the local calling area.

(17) The violation by a supplier of IC 24-3-4 concerning cigarettes for import or export.

(18) The act of a supplier in knowingly selling or reselling a product to a consumer if the product has been recalled, whether by the order of a court or a regulatory body, or voluntarily by the manufacturer, distributor, or retailer, unless the product has been repaired or modified to correct the defect that was the subject of the recall.

(19) The violation by a supplier of 47 U.S.C. 227, including any rules or regulations issued under 47 U.S.C. 227.

(20) The violation by a supplier of the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.), including any rules or regulations issued under the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.).

(21) A violation of IC 24-5-7 (concerning health spa services), as set forth in IC 24-5-7-17.

(22) A violation of IC 24-5-8 (concerning business opportunity transactions), as set forth in IC 24-5-8-20.

(23) A violation of IC 24-5-10 (concerning home consumer transactions), as set forth in IC 24-5-10-18.

(24) A violation of IC 24-5-11 (concerning real improvement contracts), as set forth in IC 24-5-11-14.

(25) A violation of IC 24-5-12 (concerning telephone solicitations), as set forth in IC 24-5-12-23.

(26) A violation of IC 24-5-13.5 (concerning buyback motor vehicles), as set forth in IC 24-5-13.5-14.

(27) A violation of IC 24-5-14 (concerning automatic

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1 dialing-announcing devices), as set forth in IC 24-5-14-13.
 2 (28) A violation of IC 24-5-15 (concerning credit services
 3 organizations), as set forth in IC 24-5-15-11.
 4 (29) A violation of IC 24-5-16 (concerning unlawful motor
 5 vehicle subleasing), as set forth in IC 24-5-16-18.
 6 (30) A violation of IC 24-5-17 (concerning environmental
 7 marketing claims), as set forth in IC 24-5-17-14.
 8 (31) A violation of IC 24-5-19 (concerning deceptive
 9 commercial solicitation), as set forth in IC 24-5-19-11.
 10 (32) A violation of IC 24-5-21 (concerning prescription drug
 11 discount cards), as set forth in IC 24-5-21-7.
 12 (33) A violation of IC 24-5-23.5-7 (concerning real estate
 13 appraisals), as set forth in IC 24-5-23.5-9.
 14 (34) A violation of IC 24-5-26 (concerning identity theft), as set
 15 forth in IC 24-5-26-3.
 16 (35) A violation of IC 24-5.5 (concerning mortgage rescue
 17 fraud), as set forth in IC 24-5.5-6-1.
 18 (36) A violation of IC 24-8 (concerning promotional gifts and
 19 contests), as set forth in IC 24-8-6-3.
 20 (37) A violation of IC 21-18.5-6 (concerning representations
 21 made by a postsecondary credit bearing proprietary educational
 22 institution), as set forth in IC 21-18.5-6-22.5.
 23 (38) A violation of IC 24-5-15.5 (concerning collection actions
 24 of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.
 25 (39) A violation of IC 24-14 (concerning towing services), as set
 26 forth in IC 24-14-10-1.
 27 (40) A violation of IC 24-5-14.5 (concerning misleading or
 28 inaccurate caller identification information), as set forth in
 29 IC 24-5-14.5-12.
 30 (41) A violation of IC 24-5-27 (concerning intrastate inmate
 31 calling services), as set forth in IC 24-5-27-27.
 32 (42) A violation of IC 15-21 (concerning sales of dogs by retail
 33 pet stores), as set forth in IC 15-21-7-4.
 34 (43) A violation of IC 24-4-23 (concerning the security of
 35 information collected and transmitted by an adult oriented
 36 website operator), as set forth in IC 24-4-23-14.
 37 **(44) A violation of IC 24-16-2 (concerning social media
 38 providers), as set forth in IC 24-16-2-3.**
 39 (c) Any representations on or within a product or its packaging or
 40 in advertising or promotional materials which would constitute a
 41 deceptive act shall be the deceptive act both of the supplier who places
 42 such representation thereon or therein, or who authored such materials,



1 and such other suppliers who shall state orally or in writing that such
 2 representation is true if such other supplier shall know or have reason
 3 to know that such representation was false.

4 (d) If a supplier shows by a preponderance of the evidence that an
 5 act resulted from a bona fide error notwithstanding the maintenance of
 6 procedures reasonably adopted to avoid the error, such act shall not be
 7 deceptive within the meaning of this chapter.

8 (e) It shall be a defense to any action brought under this chapter
 9 that the representation constituting an alleged deceptive act was one
 10 made in good faith by the supplier without knowledge of its falsity and
 11 in reliance upon the oral or written representations of the manufacturer,
 12 the person from whom the supplier acquired the product, any testing
 13 organization, or any other person provided that the source thereof is
 14 disclosed to the consumer.

15 (f) For purposes of subsection (b)(12), a supplier that provides
 16 estimates before performing repair or replacement work for a customer
 17 shall give the customer a written estimate itemizing as closely as
 18 possible the price for labor and parts necessary for the specific job
 19 before commencing the work.

20 (g) For purposes of subsection (b)(15) and (b)(16), a telephone
 21 company or other provider of a telephone directory or directory
 22 assistance service or its officer or agent is immune from liability for
 23 publishing the listing of an alternate business name or assumed
 24 business name of a supplier in its directory or directory assistance data
 25 base unless the telephone company or other provider of a telephone
 26 directory or directory assistance service is the same person as the
 27 supplier who has committed the deceptive act.

28 (h) For purposes of subsection (b)(18), it is an affirmative defense
 29 to any action brought under this chapter that the product has been
 30 altered by a person other than the defendant to render the product
 31 completely incapable of serving its original purpose.

32 SECTION 10. IC 24-16 IS ADDED TO THE INDIANA CODE
 33 AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY
 34 1, 2026]:

35 **ARTICLE 16. SOCIAL MEDIA PROVIDERS**

36 **Chapter 1. Definitions**

37 **Sec. 1. The definitions in this chapter apply throughout this
 38 article.**

39 **Sec. 2. "Adolescent" means an individual who is at least
 40 fourteen (14) years of age but less than eighteen (18) years of age.**

41 **Sec. 3. "Child" means an individual who is less than fourteen
 42 (14) years of age.**

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1 **Sec. 4. "Daily active users"** means the unique users in the
 2 United States who used a particular online forum, website, or
 3 application at least eighty percent (80%) of the days during the
 4 previous twelve (12) months, or, if the online forum, website, or
 5 application did not exist during the previous twelve (12) months,
 6 the unique users in the United States who used the online forum,
 7 website, or application at least eighty percent (80%) of the days
 8 during the previous month.

9 **Sec. 5. "Linked account"**, with respect to an individual's
 10 account with a social media service, means another account with
 11 the social media service that the individual has designated, through
 12 a means provided by the social media service, as an account:

- 13 (1) from which the individual wishes to receive content;
- 14 (2) from which the individual wishes the social media service
 15 to include in recommendations for content provided to the
 16 user by the social media service; or
- 17 (3) with which the individual wishes to associate the
 18 individual's account.

19 **Sec. 6. "Mobile credential"** has the meaning set forth in
 20 IC 9-13-2-103.4.

21 **Sec. 7. "Reasonable age verification method"** means a method
 22 of determining that an individual seeking to access a website is not
 23 a child or an adolescent by using one (1) or more of the following
 24 methods:

- 25 (1) A mobile credential.
- 26 (2) An independent third party age verification service that
 27 compares the identifying information entered by the
 28 individual with material that is available from a
 29 commercially available data base, or an aggregate of data
 30 bases, that is regularly used by government agencies and
 31 businesses for the purpose of age and identity verification.
- 32 (3) Any commercially reasonable method that relies on
 33 public or private transactional data to verify the age of the
 34 individual.

35 **Sec. 8. (a) "Social media"** means an online forum, website, or
 36 application that satisfies the following criteria:

- 37 (1) Allows users to upload content or view the content or
 38 activity of other users.
- 39 (2) Has a user base in which ten percent (10%) or more of
 40 the daily active users who are sixteen (16) years of age or
 41 younger spent an average of two (2) hours per day or longer
 42 on the online forum, website, or application when using the



online forum, website, or application during the previous twelve (12) months or, if the online forum, website, or application did not exist during the previous twelve (12) months, during the previous month.

(3) Employs algorithms that analyze user data or information on users to select content for users.

(4) Has any of the following addictive features:

(A) Continuously loading content, or content that loads as the user scrolls down the page without the need to open a separate page.

(B) Seamless content, or the use of pages with no visible or apparent end or page breaks.

(C) Display of personal interactive metrics that indicate the number of times other users have clicked a button to indicate their reaction to content or have shared or reposted the content.

(D) Autoplay video or video that begins to play without the user first clicking on the video or on a play button for the video.

(E) Live streaming or a function that allows a user or advertiser to broadcast live video content in real time.

(b) The term does not include an online service, website, or application where the exclusive function provides registered users of the service only with the ability to send and receive electronic mail or direct messaging consisting of text, photographs, pictures, images, or videos shared only between the sender and the recipients, without displaying or posting the material publicly or to others not identified as the recipient by the sender.

Sec. 9. "Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event. The term includes records that relate to a mortgage, education, or employment.

Chapter 2. Adolescent and Child Use of Social Media

Sec. 1. (a) A social media service that receives a request from an Indiana resident for creation of an account with the social media service shall comply with the following:

(1) The social media service shall use a reasonable age verification method to determine the age of the individual requesting creation of the account.

(2) If the social media service determines under subdivision

(1) that the individual requesting creation of the account is:



- (A) an adolescent, the social media service may create the account only if the social media service receives written consent to creation of the account from the adolescent's parent or guardian; or
- (B) a child, the social media service may not create the account.

(b) A social media service shall comply with the following:

(1) The social media service shall use a reasonable age verification method to determine the age of an Indiana resident who holds an account with the social media service that was created before July 1, 2026.

(2) If the social media service determines under subdivision (1) that an Indiana resident who holds an account described in subdivision (1) is an adolescent or a child, the social media service shall do the following:

(A) For an adolescent, the social media service:

(i) shall provide notice to the adolescent that the adolescent's access to the account will be suspended fourteen (14) days after the date of the notice unless the social media service receives written consent to the adolescent's use of the social media service from the adolescent's parent or guardian;

(ii) shall suspend the adolescent's access to the account fourteen (14) days after the date of the notice under item (i) if the social media service does not receive written consent to the adolescent's use of the social media service from the adolescent's parent or guardian not later than fourteen (14) days after the date of the notice under item (i); and

(iii) if the social media service suspends the adolescent's access to the account under item (ii), shall restore the adolescent's access to the account only upon receipt by the social media service of written consent to the adolescent's use of the social media service from the adolescent's parent or guardian

(B) For a child, the social media service shall suspend the child's access to the account within twenty-four (24) hours.

Sec. 2. (a) A social media service shall configure the account of a registered user that the social media service knows, or reasonably should know, is an:

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(1) adolescent; and
(2) Indiana resident;

as described in subsection (b).

(b) A social media service shall configure the account of a registered user described in subsection (a) as follows:

(1) The social media service may allow the account to receive direct communications only from an account that the user has designated as a linked account.

(2) The social media service may not allow the account to appear in the results of a search conducted by a person through the social media service's search utility unless the person holds an account that the user has designated as a linked account.

(3) The social media service may not disseminate:

(A) content;
(B) recommendations for content; or
(C) advertising;

based on patterns of the adolescent's use of the social media service.

(4) Subject to subsection (d)(3)(B), the social media service shall prohibit the adolescent from accessing the account during the period beginning at 10:30 p.m., and ending at 6 a.m.

(c) A social media service may not allow an adolescent to change or bypass an account configuration described in subsection (b).

(d) A social media service that knows, or reasonably should know, that a registered user of the social media service is an adolescent shall provide the adolescent's parent or guardian with account access credentials that:

(1) are separate from the account access credentials provided by the social media service to the adolescent;

(2) allow the parent or guardian to access the adolescent's account at any time; and

(3) allow the parent or guardian to:

(A) view all account activity;
(B) modify the account configuration described in subsection (b); and
(C) set a limit on the number of hours per day during which the adolescent may access the account.

(e) Except as necessary for the social media service's compliance with Indiana or federal law, a social media service may

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1 not:

2 (1) collect:

3 (A) directly; or

4 (B) indirectly through collection of data regarding the
5 use of the social media service;

6 (2) use; or

7 (3) disclose;

8 personal information (as defined in IC 4-1-6-1) of a registered user
9 of the social media service that the social media service knows, or
10 reasonably should know, is an adolescent.

11 Sec. 3. An owner or operator of a social media service that
12 knowingly and intentionally violates section 1 or 2 of this chapter
13 commits a deceptive act that is actionable by the attorney general
14 under IC 24-5-0.5 and that is subject to the penalties and remedies
15 available to the attorney general under IC 24-5-0.5.

16 Sec. 4. (a) If the owner or operator of a social media service
17 violates section 1 or 2 of this chapter by:

18 (1) allowing an individual who is:

19 (A) a child or an adolescent; and

20 (B) an Indiana resident;

21 to create or access an account with the social media service
22 in violation of section 1 of this chapter; or

23 (2) failing to configure the account of a registered user that
24 the social media service knows, or reasonably should know,
25 is:

26 (A) an adolescent; and

27 (B) an Indiana resident;

28 as required by section 2 of this chapter;

29 a parent or guardian of the child or adolescent may bring an action
30 against the owner or operator of the social media service for the
31 violation.

32 (b) A parent or guardian who prevails in an action under this
33 section is entitled to:

34 (1) either:

35 (A) actual damages; or

36 (B) liquidated damages of one thousand dollars (\$1,000);

37 (2) injunctive relief; and

38 (3) court costs, reasonable attorney's fees, and other
39 reasonable expenses of litigation, including expert witness
40 fees.

41 Sec. 5. (a) A social media service that uses or purports to use
42 a reasonable age verification method for purposes of determining



1 **an individual's age under section 1 of this chapter may not:**
2 **(1) retain identifying information of the individual, unless**
3 **retention of the identifying information is required by a**
4 **court order;**
5 **(2) use identifying information of the individual for any**
6 **purpose other than determination of the individual's age; or**
7 **(3) collect information other than information that is**
8 **reasonably necessary to determine the individual's age.**
9 **(b) An individual whose identifying information is retained,**
10 **used, or collected in violation of this section may bring an action**
11 **against the person that unlawfully retained, used, or collected the**
12 **individual's identifying information. An individual who prevails in**
13 **an action described in this section is entitled to:**
14 **(1) either:**
15 **(A) actual damages; or**
16 **(B) liquidated damages of one thousand dollars (\$1,000);**
17 **(2) injunctive relief; and**
18 **(3) court costs, reasonable attorney's fees, and other**
19 **reasonable expenses of litigation, including expert witness**
20 **fees.**
21 SECTION 11. [EFFECTIVE UPON PASSAGE] **(a) 511**
22 **IAC 13-1-1(b)(6) is void. The publisher of the Indiana**
23 **Administrative Code and Indiana Register shall remove this**
24 **provision from the Indiana Administrative Code.**
25 **(b) This SECTION expires July 1, 2027.**
26 SECTION 12. An emergency is declared for this act.



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